

November 15, 2006

Planning Board Members: Stanley J. Keysa, Chairman
Rebecca Anderson
John P. Gober
Lawrence Korzeniewski
Michael Myszka
Steven Socha
Melvin Szymanski

Town Board Members: Robert H. Giza
Daniel Amatura
Mark A. Montour
Ronald Ruffino, Sr.
Donna G. Stempniak

Engineering Consultant: Robert Harris, Wm. Schutt & Associates

Deputy Town Attorney: John M. Dudziak

Highway Superintendent: Richard L. Reese, Jr.

Building & Zoning Inspector: Jeffrey H. Simme

Gentlemen/Ladies:

Enclosed is a draft copy of the minutes of a meeting of the Planning Board of Lancaster which was held November 15, 2006. Please review it for errors and completeness. These minutes will not become final until approved at a subsequent Planning Board meeting, and may be amended before approval.

Sincerely yours,

Stanley J. Keysa
Planning Board Chairman

SJK:mn
Encl.

A Regular Meeting of the Planning Board of the Town of Lancaster, Erie County, New York was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the fifteenth day of November 2006, at 7:30P.M, and there were present:

PRESENT: Stanley J. Keysa, Chairman
Rebecca Anderson, Member
John Gober, Member
Lawrence Korzeniewski, Member
Michael Myszka, Member

EXCUSED: Steven Socha, Member
Melvin Szymanski, Member

ABSENT: None

ALSO PRESENT:

Town Board Members: Donna G. Stempniak

Other Elected Officials: None

Town Staff: Jeffrey Simme, Building & Zoning Inspector
Robert Harris, Engineering Consultant - Wm. Schutt & Associates
John Dudziak, Deputy Town Attorney
Mary Nowak, Recording Secretary

Meeting called to order by Chair Keysa at 7:35 PM.

PLEDGE OF ALLEGIANCE

Motion was made by John Gober to approve the minutes from the November 1, 2006 Planning Board Meeting. Motion was seconded by Lawrence Korzeniewski and unanimously carried.

COMMUNICATIONS -

ACTION ITEMS -

PRELIMINARY PLAT PLAN REVIEW -WAINWRIGHT COURT SUBDIVISION, 13 SINGLE-FAMILY HOMES. SOUTH OF WEHRLE DRIVE. PROJECT NO. 6009. CONTACT PERSON: KENNETH ZOLLITSCH, GREENMAN-PEDERSEN, INC.

Kenneth Zollitsch, Greenman-Pedersen, Inc. presented to the Planning Board the preliminary plat plan for the 13 single-family home subdivision on the 5-plus- acre parcel on the north side of Wainwright Court behind the Regal Cinemas. The plan shows the existing road extended and ending in a cul-de-sac. The plan also shows two dry ponds: one at the north end of the development and the other dry pond at the south end. Mr. Zollitsch explained that these dry ponds will be for stormwater storage that will eventually drain into the large existing pond behind Regal Cinemas. Mr. Zollitsch stated that the owner of Regal Cinemas has given permission for the drainage into the pond. Chair Keysa referred to Com. 11-15-07 from Mr. Zollitsch to Town Engineer Robert Harris which addressed concerns that Town Engineer Robert Harris raised regarding this project:

Wetlands - Mr. Zollitsch told the Planning Board that approval of the wetlands delineation for this parcel has not been received, but is expected from the Army Corp of Engineers. Chair Keysa stated that approval of the wetlands delineation from the Army Corp of Engineers will be a necessary.

Waterline - Mr. Zollitsch stated that a waterline easement to North Maple Drive will not be necessary for water pressure, since the improvements to Transit Road will increase the existing water. pressure. Chair Keysa said that looping for fire flow would be preferred. Following a brief discussion, Chair Keysa polled the Planning Board for their preference. The unanimous consensus of the Planning Board was that they would like to see an easement of acceptable size to North Maple Drive.

Dry ponds - Mr. Zollitsch told the Planning Board that the two dry ponds shown on the plan would be the property of the homeowners of those lots. Councilmember Donna Stempniak stated ownership of the dry ponds by the homeowners can result in problems in the future, and that the Town usually takes ownership of dry ponds. Town Engineer Robert Harris will contact General Crew Chief Terrence McCracken to discuss this situation.

Electric Lines - Currently the electric lines run across this parcel. Mr. Zollitsch stated that the power poles will be moved and that the power lines might be underground. Chair Keysa said that clarification of this issue will be necessary, and that the Town's preference is for the power lines to be underground.

There was a question regarding reports of endangered plants on this parcel. Mr. Zollitsch stated that he has provided a report to Town Engineer Robert Harris indicating that there are no endangered plants on this parcel. Chair Keysa asked the Town Engineer to provide the Town Attorney's office with a copy of that report.

DETERMINATION

At the request of the applicant, this project is tabled to the next Planning Board Meeting on December 6, 2006 for resolution of the following issues: 1.) Applicant to provide Planning Board with a copy of the agreement between the owner of this parcel and the owner of Regal Cinemas regarding use of the large pond for discharge of water from this parcel. 2.) Applicant to provide Planning Board with Army Corp of Engineer's acceptance of wetlands delineation. 3.) Plan to show waterline right-of-way from cul-de-sac to North Maple Drive. Applicant to work this out with Town Engineer Robert Harris. 4.) Discussion to be arranged with applicant, Town Engineer Robert Harris, General Crew Chief McCracken, and Highway Superintendent Richard Reese to discuss the ownership, maintenance, and access to the two dry ponds. 5.) Clarification regarding electric lines. Town's preference is for electric lines to be underground. Motion to table was made by Rebecca Anderson, seconded by Michael Myszka and unanimously carried.

SKETCH PLAN REVIEW - ROSELAND SUBDIVISION, PHASE 2 - 55 SINGLE-FAMILY LOTS, WEST OF STEINFELDT ROAD, AND SOUTH OF ERIE STREET. CONTINUATION OF ST. ANTHONY DRIVE AND ROSE STREET. PROJECT NO. 2402. CONTACT PERSON: SALVATORE BELESTERI

Warren Nowak, N&W Construction, Mary Curson, Attorney, and Salvatore Belesteri, owner, presented to the Planning Board the sketch plan for the 55 single-family home subdivision located west of Steinfeldt Road and south of Erie Street. This subdivision will be a continuation of St. Anthony Drive and Rose Street. The site plan for this entire project was filed with Erie County in 1991. Phase 1 is near completion and the developer is ready

to start Phase 2. Chair Keysa referred to Com. 11/15/05 from Sandra Gwitt, owner of adjacent property to the south of the proposed subdivision. She is requesting that an access street to her property be allowed for on the sketch plan, because the construction of the phase 2 subdivision as shown will result in her property being landlocked. Chair Keysa asked Deputy Town Attorney Dudziak to have the Town Attorney's office check the topography maps for any land on Ms. Gwitt's property that could possibly be developed. If there is any land that could be developed, then an allowance should be made for a stub street or paper street on the sketch plan. The Planning Board also recommended that the applicant's engineer look at the aerial topography maps of the area from Broadway to Steinfeldt Road, and Court Street to the railroad line on Erie Street and compare them to the tax maps for that area to check the property lines, wetlands, and floodplains regarding whether a stub street to the south is necessary.

Wetlands & Floodplains - According to the Erie County wetlands and floodplains map dated February 2001, eleven building lots shown on this sketch plan are affected by wetlands. It will need to be determined whether these are federal wetlands or New York State wetlands. New York State wetlands would require a 100-ft. buffer area. The Planning Board told the applicant to use the Erie County GIS system, which is available on the internet, to view the locations of the wetlands. The developer may need to re-configure the layout of the subdivision plan. It was also suggested that the cul-de-sac shown on the sketch plan be eliminated.

Stormwater Drainage - Mr. Nowak told the Planning Board that the existing retention pond would be used for stormwater drainage from the phase 2 subdivision. Town Engineer Robert Harris stated that due to recent changes in the standards, water quality treatments may be necessary.

DETERMINATION

Based on the information presented to the Planning Board, Rebecca Anderson made a motion to table this project to the next Planning Board meeting on December 6, 2006. The applicant is to address the following concerns: 1.) Applicant's Engineer to plot correct FEMA floodplain on topography map using Erie county map dated February 2001, pane #8. 2.) Applicant's engineer to provide Planning Board with a letter from New York State Dept. of Environmental Conservation indicating acceptance of wetlands delineation. 3.) Applicant's engineer to provide the Planning Board with a letter and permits from the Army Corp of Engineers accepting wetlands delineation. 4.) Applicant's engineer to use aerial topography map of area between Broadway and the railroad line on Erie Street, and Court Street and Steinfeldt Road, and compare the tax map of this area to check property lines, wetlands, and floodplains regarding whether a stub street to the south is necessary. 5.) Based on the mapping information from condition #4, applicant may want to re-configure the layout of the subdivision to avoid building in wetlands and floodplain. 6.) Applicant's engineer to check current stormwater drainage standards regarding quality and elements of necessary pre-treatment. Motion seconded by John Gober and unanimously carried.

OTHER MATTERS - None

At 8:35 PM Michael Myszka made a motion to adjourn the meeting. Motion seconded by John Gober and unanimously carried.